

April J. Sands, Esq.  
Office of General Counsel  
Federal Elections Commission  
999 E Street NW  
Washington, D.C. 20463

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SEP 5 9 44 AM '00

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL

Dear Ms. Sands:

I acknowledge receipt of your letter dated August 26, 2000.

Regarding the statement of Mr. Aníbal Acevedo-Vilá, I must inform you that you have been misled by him, and that Mr. Acevedo-Vilá is attempting to influence the investigation of this matter that is being conducted by the Federal Elections Commission.

Mr. Acevedo-Vilá recruited me through Mr. Nicolás Noguerras to make false and defamatory statements about Congressman Carlos Romero-Barceló and the Commonwealth of Puerto Rico's Secretary of State, Mr. Angel Morey. Mr. Acevedo-Vilá paid \$52,000 to Mr. Noguerras, who was my attorney at the time, and who was supposed to give the money to me, which he never did. At that time I was going through a deep depression caused by severe financial difficulties, and Mr. Acevedo-Vilá took advantage of that to recruit me through my attorney, in order to set that defamatory scheme up.

Regarding the investigation of these facts being conducted by the Commonwealth of Puerto Rico's Justice Department, I must say that Mr. Acevedo-Vilá is distorting the truth. The Justice Department prosecutors investigating the matter, Mr. Obdulio Meléndez-Ramos and Mr. Pedro Oliver-Covas, wrote a letter denying Mr. Acevedo-Vilá's contention that they told him that neither I or the other witnesses in this case were credible, and asking Mr. Acevedo-Vilá to visit their offices to sign a sworn statement denying the public statements I have made concerning his involvement in the scheme. He has not done so, perhaps out of fear he may be later charged with perjury.

Enclosed you will find copies of the letter by Mr. Meléndez-Ramos and Mr. Oliver-Covas referred to above, the original in Spanish and a translation into English. You will also find my sworn statement of the true facts in the case, and the results of the polygraph test to which I submitted and which was conducted by Mr. Robert A. Brisentine. The polygraph test establishes, in my view, that I am telling the truth. You will also find the sworn statements made by Mr. José Gil Colón-Rodríguez, a former law clerk to Mr. Noguerras who is also a witness in this case, and whose testimony corroborates my allegations. I am also enclosing a copy of Mr. Colón-Rodríguez's own polygraph test concerning this matter.

Let me say in closing that there is another witness, Efraín Díaz, who is a municipal assemblyman of the municipality of Salinas and who has given testimony corroborating my testimony in this matter. Mr. Díaz has also given a sworn statement about his knowledge of these matters to the Justice Department, and has told the local press that officers of the Popular Democratic Party, of which Mr. Acevedo-Vilá is vice-president, attempted to recruit him for the defamatory campaign against Congressman Romero-Barceló and Mr. Morey.

Please feel free to contact me again for whatever additional information you need in this case.

Regards,

Andrés Sánchez Delgado (signed)

2000 SEP 5 9 44 AM '00



Past President

**BRISENTINE & ASSOCIATES - POLYGRAPH**  
Security Consultants  
Polygraph Examinations & Quality Control



Charter Member

Robert A. Brisentine, Jr.  
*President*

**POLYGRAPH EXAMINATION REPORT**  
May 17, 2000

**SUBJECT:** Mr. Andres Sanchez Delgado  
Edif. Viscaya, Apt. 721  
6<sup>th</sup> Extension, Villa Carolina  
Carolina, PR 00985

**REQUESTER:** Mr. Miguel Roca  
El Vocero de Puerto Rico  
P. O. Box 383  
Old San Juan Station  
San Juan, Puerto Rico 00904

**PURPOSE:**

To determine if Mr. Andres Sanchez Delgado was truthful when stating that he was one of seven individuals that provided false and derogatory information about Dr. Carlos Rodriguez Mateo, Mr. Romero Barcelo, Mr. Angel Morey, Mr. Ki Ke Melendez, Mr. Luis Navas, Mr. Domingo Garcia, Mr. Edison Mislá Aldarondo and Mr. Ramon Luis Rivera, Jr.; when stating that he attended meetings in which he was requested by the attendees, consisting of, Mr. Nicholas Noguerras, Mr. Valero Lopez, Mr. Anibal Acevedo Vila, Mr. Jose Gil Colon Rodriguez, Mr. Victor Gutierrez and Ms Celeste Benetiz, Mr. Guillermo Valero, and Mr. Carlos Muntz to provide false information about Dr Rodriguez Mateo, Mr. Barcelo, Mr. Morey, Mr. Melendez, Mr. Navas, Mr. Garcia, Mr. Mislá Aldarondo and Mr. Luis Rivera; when stating that he never delivered any money to Mr. Angel Morey or Mr. Domingo Garcia; and when stating that he had attended meetings in which plans were made to provide false information about Dr Rodriguez Mateo.

**PROCEDURE:**

Prior to the Polygraph Examination Mr. Sanchez Delgado read and signed a statement that he was being administered the examination voluntarily.

Polygraph Examination Report pertaining to Mr. Andres Sanchez Delgado, dated May 17, 2000.  
(Continued)

The examination included the use of equipment that collects relative changes in galvanic skin response, respiration, blood pressure, and heart rate, as well as the strength of the pulse. The instrumentation utilized was an AXCITON Computerized Polygraph System, containing the Polygraph Automated Scoring System developed by the Applied Physics Laboratory of The Johns Hopkins University. This system records, scores, prints and stores physiological data collected during a Polygraph Examination.

The examination was conducted during the period 11:05 AM through 4:32 PM, May 11, 2000, at San Juan, Puerto Rico.

### INVESTIGATIVE SUMMARY:

During the month of July 1999, Dr. Rodriguez Mateo, owner of Medsur and Surmed Medical Groups, fired Mr. Sanchez Delgado, as his Chauffeur and bodyguard. Following his dismissal, Mr. Sanchez Delgado met with Mr. Guillermo Valero and Mr. Abraham Lopez, who requested that he (Mr. Sanchez Delgado) make public statements that were derogatory in nature about Dr Rodriguez Mateo and other individuals affiliated with Dr Rodriguez Mateo. Subsequent to this request Mr. Sanchez Delgado was approached by Mr. Nogueras, Mr. Acevedo Vila, Mr. Gutierrez and Ms Benetiz and asked to provide false information pertaining to Dr. Rodriguez Mateo, Mr. Barcelo, Mr. Morey, Mr. Melendez, Mr. Navas, Mr. Garcia, Mr. Mislal Aldarondo and Mr. Rivera. Mr. Sanchez Delgado agreed to this request and made derogatory statements for a period of approximately six months that were published in newspapers, heard and seen on TV and heard on radio. The contents of the statements by Mr. Sanchez Delgado included information that Dr Rodriguez Mateo had used Bribery to purchase a hospital, was involved in drug trafficking and had made homosexual advances to Mr. Sanchez Delgado during the time that Mr. Sanchez Delgado was working for Dr Rodriguez Mateo as a chauffeur and bodyguard. With the exception of Mr. Sanchez Delgado, the majority of the individuals making allegations were congressmen, members or employees of the Government and aides to Government employees. The persons about whom these complaints were made are also employees of the Puerto Rican Government, Congressmen and Senators but members of a different political Party than the people who made the statements.

An investigation was initiated during the year 2000 by the Newspaper, El Vocero de Puerto, to determine if the contents of the statements made by Mr. Sanchez Delgado were true or false. This investigation resulted in Mr. Sanchez Delgado changing his entire statement, by stating that he was one of seven people who made false and derogatory statements about Dr Rodriguez Mateo, Mr. Barcelo, Mr. Melendez, Mr. Morey, Mr. Navas, Mr. Garcia, Mr. Mislal Aldarondo and Mr. Rivera. Further, that individuals who influence him to provide false information about Dr Rodriguez Mateo, Mr. Melendez, Mr. Morey, Mr. Navas, Mr. Garcia, Mr. Mislal Aldarondo and Mr. Rivera were Mr. Abraham Lopez, Mr. Nicholas Nogueras, Mr. Acevedo Vila, Mr. Ferdinand Mercado, Mr. Victor Gutierrez, Ms Celeste Benitez, Mr. Guillermo Valero and Mr. Carlos Muniz.

Polygraph Examination Report pertaining to Mr. Andres Sanchez Delgado, dated May 17, 2000.  
(Continued)

Mr. Sanchez Delgado denied that he had ever delivered or provided any money to Mr. Morey or Mr. Garcia and that he made a false statement when he previously stated that Mr. Morey and Mr. Garcia had received bribery payments.

Mr. Sanchez Delgado requested through Mr. Roca that he be administered a Polygraph Examination as a procedure to verify he is now being truthful in his statements to the effect that he had previously made false statements to the press about Dr Rodriguez Mateo, Mr. Barcelo, Mr. Melendez, Mr. Morey, Mr. Navas, Mr. Garcia, Mr. Mislá Aldarondo and Mr. Rivera.

#### **RESULTS:**

The responses collected based on answers to questions posed during the Polygraph Examination of Mr. Sanchez Delgado were sufficient to form conclusions.

#### **CONCLUSION:**

During the Pretest phase of the examination, Mr. Sanchez Delgado made no statements that were contrary to statements she had made previously to Mr. Roca and his investigators. Mr. Sanchez Delgado continued to maintain that he had made false statements about Dr. Rodriguez Mateo, Mr. Barcelo, Mr. Melendez, Mr. Navas, Mr. Morey, Mr. Garcia, Mr. Mislá Aldorondo and Mr. Rivera that were derogatory in nature.

Based on a Polygraph Examination of Mr. Sanchez Delgado on May 11, 2000, it is concluded that he was not practicing deception (was truthful) when stating that he had made false statements against Dr. Rodriguez Mateo, Mr. Barcelo, Mr. Melendez, Mr. Navas, Mr. Morey, Mr. Garcia, Mr. Mislá Aldorondo and Mr. Rivera; that he was a participant in providing false derogatory information about the aforementioned individuals, that he attended meetings where Mr. Nogueras, Mr. Acevedo Vila, Mr. Gutierrez, Ms Benitez, Mr. Valero, Mr. Muniz, and Mr. Lopez were in attendance and he was asked to provide false and derogatory information, and that he never provided any money to Mr. Garcia or Mr. Morey

Quality Control of the Chart Interpretation was accomplished through the use of the Polygraph Automated Scoring System (POLYSCORE); a computerized Chart Evaluation System developed by the Applied Physics Laboratory of The Johns Hopkins University. The computerized evaluation of the polygrams revealed that Mr. Sanchez Delgado was not practicing deception during the examination and the probability of deception on the part of Mr. Sanchez Delgado is two (2) percent. A copy of the Computerized Chart Evaluation System Report is attached as an enclosure to this report.

Polygraph Examination Report pertaining to Mr. Andres Sanchez Delgado, dated May 17, 2000.  
(Continued)

**RELEVANT QUESTIONS UTILIZED DURING THE COLLECTION OF  
POLYGRAMS:**

Did you tell the truth when saying you were a participant in providing false derogatory information about those eight individuals? ANSWER: Yes.

Did you attend any meetings where you were asked by any of those 7 persons to provide false information about those eight individuals? ANSWER: Yes.

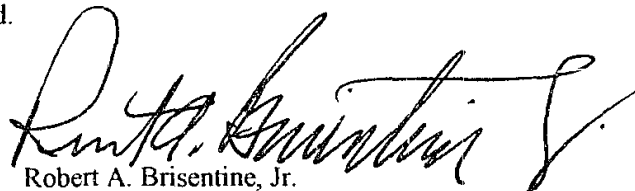
(Note: The "7 persons" phrase in this question were known to Mr. Sanchez Delgado and this Examiner as Mr. Nicholas Noguerras, Mr. Anibal Acevedo Vila, Mr. Abraham Lopez, Mr. Victor Gutierrez, Ms Celeste Benitez, Mr. Guillermo Valero and Mr. Carlos Muniz. The "eight individuals" phrase listed in this question were known to Mr. Sanchez Delgado and the undersigned as Dr. Carlos Rodriguez Mateo, Mr. Romero Barcelo, Mr. Angel Morey, Mr. Ki Ke Melendez, Mr. Luis Navas, Mr. Domingo Garcia, Mr. Edison Misla Aldarondo and Mr. Ramon Luis Rivera, Jr.)

Did you deliver any money to Morey or Garcia? ANSWER: No.

Were you present at meetings where plans were made to provide false information about Dr Carlos Rodriguez? ANSWER: Yes.

All parts of the examination were completed.

Enclosures

  
Robert A. Brisentine, Jr.  
Polygraph Examiner

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NDI--Probability of Deception is 0.02

ZONE/MGQT ZONE/MGQT ZONE/MGQT ZONE/MGQT ZONE/MGQT ZONE/MGQT ZONE/MGQT

The following charts were used:

\$\$1N8TFE Chart 2 05/11/:0 14:56 SANCHEZ DELGADO, ANDRES SER I BRISENTINE, MGQ

\$\$1N8TFE Chart 3 05/11/:0 15:33 SANCHEZ DELGADO, ANDRES SER I BRISENTINE, MGQ

\$\$1N8TFE Chart 4 05/11/:0 15:46 SANCHEZ DELGADO, ANDRES SER I BRISENTINE, MGQ



Past President

**BRISENTINE & ASSOCIATES - POLYGRAPH**  
Security Consultants  
Polygraph Examinations & Quality Control



Charter Member

Robert A. Brisentine, Jr.  
President

**POLYGRAPH EXAMINATION REPORT**  
May 20, 2000

**SUBJECT:** Mr Jose Gil Colon Rodriguez  
# 5, Blk. 23, Sierra Bayamon  
Baymon, Puerto Rico 00961

**REQUESTER:** Mr Miguel Roca  
El Vocero de Puerto Rico  
P. O. Box 383  
Old San Juan Station  
San Juan, Puerto Rico 00904

**PURPOSE:**

To determine if Mr Jose Gil Colon Rodriguez was truthful when stating:

- a. That he witnessed Mr David Riva give \$15,000.00 to Mr Nicholas Noguerras.
- b. That he witnessed unlawful payments to Mr Noguerras that amounted to more than \$50,000.00.
- c. That both Mr Ferdinand Mercado and Mr Anibal Acevedo Vila took part in a plan to pay \$12,000.00 to Mr Noguerras.
- d. That he heard Mr Mercado tell Mr Victor Rivera to pay \$12,000.00 to Mr Noguerras.
- e. That he witnessed planning meetings attended by Noguerras, Mr Mercado and Mr Acevedo Vila at which time decisions were made to provide false and derogatory information about Mr Ramon Louis Rivera, Jr., Mr Kenneth McClintock, Mr Angel Cintron, Mr Luis Navas, Mr Edison Mislal Aldarondo, Mr Carlos Romero Barcello, Mr Jose Alfredo Hernandez and Dr. Carlos Rodriguez Mateo.
- f. That all attendees of the planning meetings, which included Mr Noguerras, Mr Acevedo Vila, Mr Mercado, Mr Riva, Mr Rivera, Mr Guillermo Valero, Mr Abraham Lopez, Mr Carlos Muniz, Mr Carlos Diaz de Hostos, Mr Victor Gutierrez, Mr Abraham Lopez and Ms Celeste Benitez, were aware that the derogatory information provided by the attendees was false.

**PROCEDURE:**

Prior to the Polygraph Examination Mr Colon Rodriguez read and signed a statement that he was being administered the examination voluntarily.

Polygraph Examination Report pertaining to Mr Jose Gil Colon Rodriguez, dated May 20, 2000.  
(Continued)

The examination included the use of equipment that collects relative changes in galvanic skin response, respiration, blood pressure, and heart rate, as well as the strength of the pulse. The instrumentation utilized was an AXCITON Computerized Polygraph System, containing the Polygraph Automated Scoring System developed by the Applied Physics Laboratory of The Johns Hopkins University. This system records, scores, prints and stores physiological data collected during a Polygraph Examination.

The examination was conducted during the period 9:20 AM through 4:05 PM, May 12, 2000 and 9:45 AM – 3:30 PM, May 13, 2000, at the Office of Mr Miguel Roca in San Juan, Puerto Rico.

### INVESTIGATIVE SUMMARY:

During the period 1990 through the early part of December 1999, Mr Jose Gil Colon Rodriguez worked for Mr Nicholas Nogueras as a Para-legal clerk. During this period Mr Colon Rodriguez observed that Mr Nogueras and a group of individuals who are members of the Popular Democratic Party, participated in unlawful activities which included Bribery, Making False Statements, Defaming the Characters of Opposing Politicians and misuse of Public Funds. It was further observed by Mr Colon Rodriguez that Mr Nogueras' actions included his participation in an conspiracy with Mr Acevedo Vila, Mr Mercado, Mr Rivera, Mr Lopez, Ms Benitez, Mr Valero, Mr Muniz, Mr Dias de Hostos, Mr Rive and Mr Gutierrez to use Mr Andres Sanchez Delgado to make public statements to falsely accuse Dr Carlos Rodriguez Mateo, Mr Domingo Garcia and Mr Angel Morey of Fraud, Bribery and Misuse of Public Money and to use Mr Sanchez Delgado to make public statements to false accuse about eight individuals of the opposing political party of being dishonest.

Mr Colon Rodriguez became disaffected with Mr Nogueras and his friends (co-conspirators) and registered his complaint against Mr Nogueras and his friends with the Newspaper, El Vocero de Puerto Rico. During a subsequent investigation by the Newspaper Mr Colon Rodriguez stated that Mr Nogueras had received illegal monies in excess of \$50,000.00 through use of unlawful means, that he observed Mr Mercado and Mr Acevedo Vila take part in a plan to unlawfully pay \$12,000.00 to Mr Nogueras, that he witnessed Mr Rive make an unlawful payment of \$15,000.00 to Mr Nogueras, that he heard Mr Mercado tell Mr Rivera to pay \$12,000.00 to Mr Nogueras and that he witnessed planning meetings attended by Mr Nogueras, Mr Mercado and Mr Acevedo Vila where decisions were made to provide false and derogatory information about Mr Rivera, Mr McClintock, Mr Cintron, Mr Navas, Mr Aldarondo, Mr Barcelo, Mr Alfredo Hernandez and Dr Rodriguez Mateo. Mr Colon Rodriguez related that attendees of these meeting were aware that he derogatory information provided by Dr Nogueras and his associates was false.

Mr Colon Rodriguez agreed through Mr Roca to be administered a Polygraph Examination as a procedure to verify he is being truthful when stating that Mr Nogueras and his associates have been committing unlawful acts against individuals of the opposing political party.



Polygraph Examination Report pertaining to Mr Jose Gil Colon Rodriguez, dated May 20, 2000.  
(Continued)

## RESULTS:

The responses collected based on answers to questions posed during the Polygraph Examination of Mr Colon Rodriguez were sufficient to form conclusions.

## CONCLUSION:

During the Pretest phase of the examination, Mr Colon Rodriguez repeated the statements he had made previously to Investigators of the Newspaper and made no statements that were contrary to statements she had made previously to the Newspaper investigators.

Based on a Polygraph Examination of Mr Colon Rodriguez on May 12 and 13, 2000, it is concluded that he was not practicing deception (was truthful) when stating:

- a. That he observed Mr Riva give \$15,000.00 to Mr Noguerras.
- b. That he witnessed unlawful payments to Mr Noguerras that amounted to more than \$50,000.00.
- c. That he witnessed Mr Mercado and Mr Acevedo Vila take part in a plan to pay \$12,000.00 to Mr Noguerras.
- d. That he heard Mr Mercado tell Mr Rivera to pay Mr Noguerras \$12,000.00.
- e. That he witnessed planning meetings attended by Mr Noguerras, Mr Mercado and Mr Acevedo Vila in which plans were made to provide false and derogatory information about Mr Rivera, Mr McClintock, Mr Cintron, Mr Navas, Mr Mislal Aldarondo, Mr Romero Barcello, Mr Alfredo Hernandez and Dr Rodriguez Mateo.

Quality Control of the Chart Interpretation was accomplished through the use of the Polygraph Automated Scoring System (POLYSCORE); a computerized Chart Evaluation System developed by the Applied Physics Laboratory of The Johns Hopkins University. The computerized evaluation of the polygrams revealed that Mr Colon Rodriguez was not practicing deception during the examination and the probability of deception on the part of Mr Colon Rodriguez was three (3) percent during Series I and one (1) percent during Series II. A copy of the Computerized Chart Evaluation System Reports for Series I and II are attached as enclosures to this report.

## RELEVANT QUESTIONS UTILIZED DURING THE COLLECTION OF POLYGRAMS:

### SERIES I

Did you witness Rive give \$15,000.00 to Noguerras? ANSWER: Yes.

Did you witness "pay offs" to Noguerras that amounted to more than \$50,000.00? ANSWER: Yes.

Did both Mercado and Acevedo Vila take part in a plan to pay \$12,000.00 to Noguerras? ANSWER: Yes.

Did you hear Mercado tell Victor Rivera to pay the \$12,000.00 to Noguerras? ANSWER: Yes.

Polygraph Examination Report pertaining to Mr Jose Gil Colon Rodriguez, dated May 20, 2000.  
(Continued)

## SERIES II

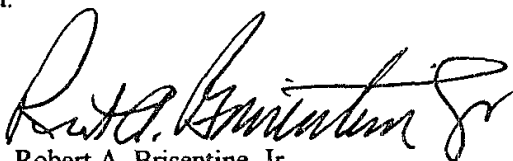
Regarding the meets in which plans were made to provide false information about certain people, do you intend to be truthful about that? ANSWER: Yes.

Did you witness planning meetings attended by Nogueras, Mercado and Acevado Vila to provide false derogatory information about those 8 individuals? ANSWER: Yes.

Were you present during planning meetings by Nogueras, Mercado and Acevedo Vila that included the release of false and derogatory information about those eight people? ANSWER: Yes.

Did all of the attendees of those planning meetings know that the derogatory information was false? ANSWER: Yes.

All parts of the examination were completed.



Robert A. Brisentine, Jr.  
Polygraph Examiner

Enclosures

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NDI--Probability of Deception is 0.03

ZONE/MGQT ZONE/MGQT ZONE/MGQT ZONE/MGQT ZONE/MGQT ZONE/MGQT ZONE/MGQT

The following charts were used:

\$\$1NZ&4Z Chart 1 05/13/:0 11:01 COLON RODRIGUEZ,JOSE GIL SER I BRISENTINE, MG  
\$\$1NZ&4Z Chart 2 05/13/:0 11:27 COLON RODRIGUEZ,JOSE GIL SER I BRISENTINE, MG  
\$\$1NZ&4Z Chart 3 05/13/:0 11:34 COLON RODRIGUEZ,JOSE GIL SER I BRISENTINE, MG  
\$\$1NZ&4Z Chart 4 05/13/:0 12:05 COLON RODRIGUEZ,JOSE GIL SER I BRISENTINE, MG

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NDI--Probability of Deception is 0.01

ZONE/MGQT ZONE/MGQT ZONE/MGQT ZONE/MGQT ZONE/MGQT ZONE/MGQT ZONE/MGQT

The following charts were used:

\$\$\$1N\$F7A Chart 1 05/13/:0 13:54 COLON RODRIGUEZ, JOSE GIL S II BRISENTINE, ZO

\$\$\$1N\$F7A Chart 2 05/13/:0 14:05 COLON RODRIGUEZ, JOSE GIL S II BRISENTINE, ZO

\$\$\$1N\$F7A Chart 3 05/13/:0 14:14 COLON RODRIGUEZ, JOSE GIL S II BRISENTINE, ZO